

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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USA STAFFING SERVICES LLC,	:	
Plaintiff,	:	
	:	23 Civ. 8613 (LGS)
-against-	:	
	:	<u>ORDER</u>
YDC, INC.,	:	
Defendant.	:	
-----X		

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the Order dated January 25, 2024, instructed Defendant to file a letter response to Plaintiff's pre-motion letter no later than January 31, 2024. The Order stated that if no responsive letter was filed, the initial pre-trial conference scheduled for February 7, 2024, would be cancelled, and a briefing schedule for Plaintiff's motion for summary judgment would be set;

WHEREAS, Defendant has not filed a response to Plaintiff's pre-motion letter. It is hereby

ORDERED that the initial pre-trial conference scheduled for February 7, 2024, is cancelled. If the parties believe that a conference would nevertheless be useful, they should inform the Court immediately so the conference can be reinstated. It is further

ORDERED that, by **February 15, 2024**, each party shall serve their initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1). All other fact discovery is stayed pending a ruling on Plaintiff's motion for summary judgment. It is further

ORDERED that Plaintiff shall file its motion for summary judgment, not to exceed 25 pages, by **March 8, 2024**. Defendant shall file its opposition, not to exceed 25 pages, by **April 9, 2024**. Plaintiff shall file its reply, not to exceed 15 pages, by **April 23, 2024**. All filings shall comply with the Court's Individual Rules. If Defendant does not file an opposition, the motion

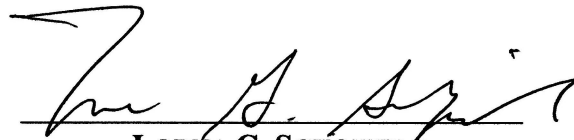
will be considered fully briefed, and Plaintiff shall not file any reply. If the motion is unopposed, the Court must nonetheless “ensure that each statement of material fact is supported by record evidence sufficient to satisfy the movant’s burden of production.” *Jackson v. Fed. Exp.*, 766 F.3d 189, 194 (2d Cir. 2014); *accord Melendez v. Rockaway Maint. Partners Corp.*, No. 22 Civ. 10679, 2023 WL 8113382, at *2 (S.D.N.Y. Nov. 22, 2023). It is further

ORDERED that Plaintiff’s request to file an exhibit in excess of 15 pages is granted, provided that the exhibits filed by Plaintiff do not exceed 225 pages total. It is further

ORDERED regarding settlement discussions, if and when the parties are ready to proceed with a settlement conference with the assigned Magistrate Judge or mediation in the Court’s mediation program, they shall file a joint letter on ECF requesting a referral.

The Clerk of Court is respectfully directed to close the motion at Dkt. 22.

Dated: February 1, 2024
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE